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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

**NEIL GAIMAN, and
MARVELS AND MIRACLES, LLC,**

Plaintiffs,

v.

Case No.: 02-C-0048-S

**TODD MCFARLANE, and
TODD MCFARLANE PRODUCTIONS, INC.,
TMP INTERNATIONAL, INC.,
MCFARLANE WORLDWIDE, INC., and
IMAGE COMICS, INC.,**

Defendants.

DECLARATION OF NEIL GAIMAN

I, Neil Gaiman, make this declaration under penalties of perjury:

1. I am one of the plaintiffs in the present lawsuit.
2. I am self-employed as a novelist and author of comic books and children's stories. My novel "Good Omens, which I co-authored with Terry Pratchett, spent 17 weeks on the Sunday (London) Times bestseller list and my novel "American Gods" was listed on the New York Times' bestseller list for several weeks as well.
3. Because of my status as an author, I am regularly asked to make appearances at fantasy and comic book conventions and to speak at colleges and before other groups. I am sometimes paid for my appearances, although I do not always request such compensation.

4/4/2002

Neil Gaiman

4. During the week of March 22, 2002, I attended the "Aggiecon" fantasy and science fiction convention near the campus of Texas A&M University. While at that convention, I noticed a comic book dealer selling a graphic novel titled *Angela's Hunt*. *Angela's Hunt* is a reprinted collection of issues 1, 2, and 3 of the Angela™ series comic book. I authored the script and provided thumbnail sketches for the artwork contained in those issues. Both the back cover and inside back cover of *Angela's Hunt* contain a written description touting my role as author of the stories contained in *Angela's Hunt*. Yet I had no knowledge that *Angela's Hunt* even existed until I discovered it for sale last week. I never provided anyone with permission to use my name or biographical information in conjunction with *Angela's Hunt* and I have never received compensation for that use. The inside back cover of *Angela's Hunt* identifies defendant Image Comics, Inc. as the book's publisher.

5. I have also discovered that Image is currently republishing Spawn® issue 26 as part of a graphic novel titled *Pathway to Judgement*. I authored a portion of the script for Spawn® issue 26 but, to my knowledge, I have never received attribution for that authorship in any version of Spawn® issue 26, including *Pathway to Judgement*. Nor have I received compensation from Image for *Pathway to Judgement* or any of the works I authored which Image is currently publishing.

I DECLARE, SUBJECT TO THE UNITED STATES LAWS GOVERNING PERJURY,
THAT THE FOREGOING IS TRUE AND CORRECT.

Dated:

4 / 4 / 2002

Signed:



Neil Gaiman